

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: LIK HON  
APPLICATION No.: 13/740,011  
FILED: JANUARY 11, 2013  
FOR: **ELECTRONIC CIGARETTE**

EXAMINER: DIONNE WALLS  
MAYES  
ART UNIT: 1747  
CONF. No: 5634

**STATEMENT OF RELATED APPLICATIONS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

Applicant advises that the following may be material to the examination of the present Application. The U.S. applications or U.S. patents identified below all claim priority to PCT/CN07/001575 (Family 4A in the attached Table) and include certain elements in common with the claims of the present application.

1. In 12/226,818, now U.S. Patent No. 8,156,944, Examiner Mayes rejected claims over CN 2719043 (Family 3 US 2007/0267031) in view of Hon US 2006/0196518 (Family 2). U.S. Patent No. 8,156,944 is in reexamination in 95/002,235 with claims rejected over CN 03111582.9 (Family 3) alone, and in combination with CN

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I hereby certify that this paper (along with any referred to as being attached or enclosed) is being electronically filed with the U.S. Patent and Trademark Office on the date entered below.

December 22, 2015  
Date of Electronic Submission

/Debbie Gilbert/  
Debbie Gilbert

111971-8012.US03/129082809.1

200420031182 (Family 2). In the reexamination the requestor also proposed rejections further relying on Kessler U.S. Patent No. 6,095,153, Roberts et al U.S. Patent No. 4,819,665, Gerth U.S. Patent No. 4,735,217, Brooks U.S. Patent No. 4,947,874, Counts U.S. Patent No. 5,388,594; Chester EP 0295122 and Deevi U.S. Patent No 5,224,498, which were not adopted in the reexamination. The requestor has further proposed rejections based on the combination of Hon CN 2719043 (Family 3 US 2007/0267031) and Hon US 2006/0196518 (Family 2) and Oljaca et al U.S. Patent No. 6,601,776.

In IPR2013-00387 a Petition was filed asserting claims in U.S. Patent No. 8,156,944 are invalid over Liu WO2007/078273 alone, and in combination with Susa EP845220B1, Hon WO2005/099494 (Family 3), and Liu with Susa and WO2005/099494 (Family 3). Claims in U.S. Patent No. 8,156,944 have been ruled to be invalid over Liu and Hon WO2005/099494 (Family 3) in a final decision in IPR2013-00387 which is currently on appeal.

2. Application 13/079,937, now U.S. Patent No. 8,365,742, was allowed with no prior art rejections. In an in-person 8/14/2012 interview the following references were discussed: Voges, U.S. Patent No. 6,196,218; Robinson, U.S. Patent No. 1,775,947; Counts, U.S. Patent No. 5,144,962; Brooks, U.S. Patent No. 4,947,875; Susa EP 0845220 B1; Hon Lik WO2004/095955 (Family 2); and Hon Lik WO2005/099494 (Family 3).

In IPR2015-00859 a Petition was filed asserting claims of U.S. Patent No. 8,365,742 are invalid over CN 2719043 (Family 3); Susa EP 0845220; Counts U.S. Patent No. 5,144,962; Abhuliman WO 2003/034847 and Whittemore U.S. Patent No. 2,057,353. In a 9/16/2015 Decision, the Patent Trial and Appeal Board denied this

Petition on the basis that the Petitioner had not established a reasonable likelihood of prevailing with respect to the claims in the patent.

In IPR2015-01587 a Petition was filed asserting claims of U.S. Patent No. 8,365,742 are invalid over Takeuchi U.S. Patent No. 6,155,268; Cox U.S. Patent No. 6,234,167; Brooks U.S. Patent No. 4,947,874; Whittemore U.S. Patent No. 2,057,353; Susa EP 0845220; and Liu WO 2007/078273 A1; and specifically that Claims 1-3 are obvious over Takeuchi; Claims 1-3 are obvious over Takeuchi in view of Cox; Claims 1 and 3 are obvious over on Brooks; Claims 1-3 are obvious over Brooks in view of Whittemore; Claims 1-3 are obvious over Liu in View of Susa; Claims 1-3 are anticipated by Susa; Claim 3 is obvious over Susa; and Claims 1-3 are obvious over Susa in view of Whittemore. This proceeding was dismissed in a 12/14/2015 Order based on settlement.

3. In Application No. 14/244,376 claims were rejected for double patenting over US Patent No. 8,156,944 (referenced above) and over the present application 13/740,011. Claims were also rejected over Susa EP 845220 alone, and in combination with Brooks US Patent No. 4,922,901.

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4. As discussed during the December 1, 2015 Examiner Interview in 14/244,376, this paper refers only to the examination of applications claiming priority to PCT/CN07/001575, and not to the examination of other applications filed by the inventor and directed to electronic cigarettes as listed in the attached IPR Summary Table.

Dated: December 22, 2015

Respectfully submitted,

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Electronic Acknowledgement Receipt	
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<b>Application Number:</b>	13740011
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<b>Confirmation Number:</b>	5634
<b>Title of Invention:</b>	ELECTRONIC CIGARETTE
<b>First Named Inventor/Applicant Name:</b>	Lik Hon
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<b>Filer:</b>	Kenneth H. Ohriner/Debbie Gilbert
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### Payment information:

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### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Miscellaneous Incoming Letter	8012US03_Statement.pdf	112071	no	6
			60b9b9e937cd747c5911e2b6f7fa24c41c5f254b		

### Warnings:

### Information:

2	Information Disclosure Statement (IDS) Form (SB08)	8012US03_IDS.pdf	1034993 e74336898fca322d0ce4af31b78ed205da78fd2	no	4
<b>Warnings:</b>					
<b>Information:</b>					
A U.S. Patent Number Citation or a U.S. Publication Number Citation is required in the Information Disclosure Statement (IDS) form for autoloading of data into USPTO systems. You may remove the form to add the required data in order to correct the Informational Message if you are citing U.S. References. If you chose not to include U.S. References, the image of the form will be processed and be made available within the Image File Wrapper (IFW) system. However, no data will be extracted from this form. Any additional data such as Foreign Patent Documents or Non Patent Literature will be manually reviewed and keyed into USPTO systems.					
3	Non Patent Literature	NPL1.pdf	1348654 21a49b896e3f4a945f4fb6ef087bb2504a0ee3d2	no	8
<b>Warnings:</b>					
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4	Non Patent Literature	NPL2.pdf	1289352 4411ada05524c511983e7ff431bae74b06b77840	no	27
<b>Warnings:</b>					
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<b>Total Files Size (in bytes):</b>			3785070		
<p><b>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</b></p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b>  <b>If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</b></p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b>  <b>If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</b></p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b>  <b>If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</b></p>					